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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,608	10/24/2003	Tien-Hsin Chang	3319-0107P	7306

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BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

EXAMINER

WEINMAN, SEAN M

ART UNIT PAPER NUMBER

2115

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,608

Applicant(s)

CHANG ET AL.

Examiner

Sean Weinman

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-12 are presented for examination.

Drawings

2. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claims 1 recites, "clock, for receiving the first control signal so as to make an evaluation to determine whether a clock signal should be generated for the control unit;" is not clearly understood. It is uncertain how the clock is able to make an evaluation to

determine whether a clock signal should be generated for the control unit. Additionally, claim 1 recites "a timing device, for receiving the second control signal so as to make an evaluation to determine whether a timing signal should be outputted for the control unit to use;" is not clearly understood. It is uncertain how the timing device is able to make an evaluation to determine whether a timing signal should be outputted for the control unit.

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. Claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 1 recites "an evaluation" on page 9 line 11. It is unclear whether this is intended to be the same as or different from the "evaluation" on page 9 line 9.

8. Claim 4 recites the limitation "the operating mode" on page 9 line 25. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 4 recites the limitation "the working platform" on page 9 lines 25-26. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 4 recites the limitation "the period" on page 9 line 27. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 4 recites the limitation "the first operation mode" on page 10 line 1. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 5 recites the limitation "the time" on page 10 line 6. There is insufficient antecedent basis for this limitation in the claim.

10. Any claim not specifically addressed, above, is being rejected as incorporating the deficiencies of a claim upon which it depends.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. Claims 4-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Khullar et al. (US Patent No. 6,009,319).

13. As per claim 4, Khullar et al. teach the invention comprising:

the method comprising: using only a timing device for timing the period that the working platform is in a second operation mode, when the working platform enters the second operation mode; and using only a high accuracy clock for providing clock to the working platform in the first operation mode, when the working platform enters the first operation mode (Col. 3 lines 17-22, Col. 4 lines 58-64, Col. 5 Lines 6-25 and Figure 2A). It is inherent that the timing device must time the period the working platform is in the second operation mode for the timing device to wake up the platform when the platform's active time slot arrives).

14. As per claim 5, Khullar et al. teach the invention comprising:

switching the working platform from the first operation mode to the second operation mode, while the time for the working platform to remain in the first operation mode is up (Col. 4 lines 58-64, Col. 5 Lines 6-25 and Figure 2A).

15. As per claim 6, Khullar et al. teach the invention comprising:
activating the timing device and deactivating the high accuracy clock, while the working platform entering the first operation mode (Col. 4 lines 58-64, Col. 5 Lines 6-25 and Figure 2A).
16. As per claim 7, Khullar et al. teach the invention comprising:
activating the high accuracy clock and deactivating the timing device, while the working platform entering the second operation mode (Col. 4 lines 58-64, Col. 5 Lines 6-25 and Figure 2A).
17. As per claim 8, Khullar et al. teach the invention comprising:
activating the timing device and deactivating the high accuracy clock, when the time for the working platform to remain in the first operation mode is up (Col. 4 lines 58-64, Col. 5 Lines 6-25 and Figure 2A).
18. As per claim 9, Khullar et al. teach the invention comprising:
the first operation mode is a sleep mode (Col. 4 lines 53-61).
19. As per claim 10, Khullar et al. teach the invention comprising:
the second operation mode is a wake-up mode (Col. 3 lines 17-22).
20. As per claim 11, Khullar et al. teach the invention comprising:
the first operation mode is a power-save mode (Col. 4 lines 53-61).
21. As per claim 12, Khullar et al. teach the invention comprising:
the first operation mode is a standby mode (Col. 4 lines 53-61).

Claim Rejections - 35 USC § 103

22. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

23. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alon et al (US Patent No. 6,411,830), and in further view of Applicant's Admission of Prior Art (AAPA).

24. As per claim 1, Alon et al teach the invention comprising:

An operation mode switch apparatus for ensuring low power consumption (Col. 1 lines 13-17 and Figure 8), comprising:

a control unit, for receiving a command signal so as to output a first control signal, a second control signal and a operation mode control signal (Col. 5 lines 9-19, Col. 7 lines 5-10, Figure 6 Reference character 206 and Figure 8 Reference character 306)

a clock, for receiving the first control signal so as to make an evaluation to determine whether a clock signal should be generated for the control unit (Col. 5 lines 9-12, Col. 7 lines 5-10, Figure 6 Reference character 202 and Figure 8 Reference character 302)

a timing device, for receiving the second control signal so as to make an evaluation to determine whether a timing signal should be outputted for the control unit to use (Col. 5 lines 9-12, Col. 7 lines 5-10, Col. 10 lines 45-56, Figure 6 Reference character 204 and Figure 8 Reference character 304).

25. Alon et al. does not teach the control unit receiving a command signal so as to output the control and operation mode signals. Specifically, Alon et al. teaches an operation mode switch of low power consumption comprising a control unit outputting an operation mode signal, a first control signal to control a first timing device, and a second control signal to control a second timing device. Alon et al. does not teach that the control unit receives a command signal that is used to output the control and operation mode signals.

26. The AAPA teaches an operation mode switch having a control unit that receives a command input that is used to control the operation mode switch of the working platform. The AAPA teaches a control unit, for receiving a command signal (Page 2 lines 24-26 and Figure 1 Reference characters 110 and 130). Specifically, the AAPA teaches a control unit that receives a command signal is as to output control and operation mode signals.

27. It would have been obvious to one of ordinary skill in the art to combine the teachings of Alon et al. and the AAPA because they both teach operation mode switch devices for lowering power consumption of working platforms. The AAPA covers the deficiency of the Alon et al. by teaching the control unit receives a command input that is used to control the operation mode switch of the working platform.

28. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alon et al in view of the AAPA as applied to claim 1 above, and further in view of Khular et al (US Patent No. 6,009,319).

29. As per claims 2 and 3, Alon et al. and the AAPA teach a system for an operation mode switch for lower power consumption. The operation mode switch of low power consumption comprises a control unit that receives a command signal so as to output an operation mode signal, a first control signal to control a first timing device, and a second control signal to control a second timing device. Alon et al. and the AAPA fail to detail the invention where the first timing device is an oscillator and a counter to output a timing signal and the second clock is a high accuracy clock.

30. Khullar et al. teach an operation mode switch for reducing power consumption having a first and second timing device. Khullar et al. teach wherein the timing device further comprising: an oscillator, for outputting an oscillating signal; and a counter, for receiving the second control signal and use thereof along with a counting of the oscillating signals to output the timing signal (Col. 5 lines 8-21, Col. 6 lines 21-25 and Figure 3 Reference characters 30 and 42). Additionally, Khullar et al. teach wherein the clock signal is a high accuracy clock signal (Col. 5 lines 8-13 and Figure 3 Reference characters 32).

31. It would have been obvious to combine the teachings of Alon et al., the AAPA, and Khullar et al. because they all teach operation mode switch devices for lowering power consumption of working platforms. Khullar et al. covers the deficiency of Alon et al. and the AAPA by teaching the first timing device is an oscillator and a counter to output a timing signal and the second clock is a high accuracy clock.

Conclusion

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Weinman whose phone number is (571) 272-2744. The examiner can normally be reached on Monday-Friday from 8:00-4:30.

33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on (571) 272-3667. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sean Weinman
Examiner
Art Unit 2115



THOMAS LEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100